



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** November 16, 2010

**TO:** Mayor and Councilmembers

**FROM:** Planning Division, Community Development Department

**SUBJECT:** Sign Committee Reconstitution And Other Ordinance Amendments  
To Increase Efficiency

**RECOMMENDATION:** That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 22 of the Santa Barbara Municipal Code Relating to the Expiration of Project Design Review Approvals, Amending Section 27.07.110 of Title 27 Relating to Approved Subdivision Maps, and Amending Chapter 28.87 of Title 28 of the Santa Barbara Municipal Code Relating to the Preparation of Zoning Information Reports and the Expiration and Tolling of Development Plans and Other Project Approvals for Approved Development Projects;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving Revised Sign Review Guidelines; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing a Reconstituted Sign Committee and Repealing Resolution Numbers 81-053, 90-028, and 95-083.

### Discussion:

### Background

Council was advised during budget discussions that the elimination of planning staff would affect workloads and change work priorities. In response to budget and staffing cutbacks, Community Development Department managers worked with an ad-hoc committee consisting of various Board and Commission members to develop a list of ideas to reduce staff's workload and manage assignments. Design Review boards include the Sign Committee, the Architectural Board of Review (ABR), the Historic Landmarks Commission (HLC), and the Single Family Design Board (SFDB).

Changes that would have the most cost or time savings and that could be easily implemented were selected. It was understood that some of these ideas would likely involve various ordinance amendments to reduce workload volume or simplify the City's review process.

Last month the Council Ordinance Committee reviewed the first phase of these ordinance amendment proposals primarily focused on making changes to increase efficiencies, reduce staff workloads and to simplify the City's review process. The Ordinance Committee was presented with specific changes on how the City could adjust its application review process requirements and save staff time. The reconstitution of the City's Sign Committee, a more efficient manner in which to process development applications, adjustment of approval timelines, and making staffing reassignments could all assist in reducing staff hours in order to take advantage of reduced workload volumes.

Several suggestions and proposals were compiled for consideration with the following ideas being proposed as part of this first phase:

**List of Proposed Changes:**

- Changes in the level of staffing to the Sign Committee and shifting assignments can be temporarily absorbed by existing Design Review staff. In order to implement this change, the separate full Sign Committee meetings would be changed to coincide with the regular ABR and HLC Consent Calendar review days. The Sign Committee membership would also be reduced to 4 from 5 members. The change would allow for most sign applications to be reviewed with only two members and is expected to reduce application review times.
- Specific language for exemptions revised and new definitions for Sign Regulations to improve sign enforcement.
- Clarifications of project approval time periods and extensions for ABR, HLC and SFDB approvals when projects have multiple approvals and to lessen the confusion regarding tracking multiple approval expiration dates.
- Minor change of terminology from "Preliminary Approval" to "Project Design Approval" for design review board approvals.
- Minor ordinance amendments to eliminate the requirement for Zoning Information Reports for condominiums by making it an optional practice.

**Ordinance Committee Review**

On October 12, 2010, the Ordinance Committee reviewed the proposed five ordinance amendments outlined above and voted 3/0 to support moving forward on most of the

amendments. Two item topics were continued for more consideration based on concerns voiced from several realtors during public comment. Changes proposed for Zoning Information Reports (ZIR's) and to improve enforcement on Signs were determined to require more time for further discussions.

On November 2, 2010, staff returned back to the Ordinance Committee with the minor changes on the Zoning Information Reports. Staff worked with the Santa Barbara Association of Realtors (SBAOR) to resolve their previous concerns. In addition, staff proposed additional ZIR processing changes that would eliminate the requirement for preparation of a ZIR when a home was under construction or that had been recently constructed. The Ordinance Committee supported all the changes and voted unanimously to forward ordinance amendments to Council for adoption. Proposed changes to the Sign Regulations to address ongoing sign enforcement issues needed further discussion, and that took place on November 9. The Ordinance Committee forwarded the amendments, and it will return to Council as a separate item with additional consideration of "For Sale" signs in the public right-of-way and television monitors at gas service stations.

The following is a brief summary explanation of the four areas of amendments proposed at this time:

#### Sign Committee Review Changes

The level of staffing to the Sign Committee was identified as an area where shifting of assignments could be achieved and temporarily absorbed by existing Design Review staff. We believe that shifting a planning technician from staffing the Sign Committee to Zoning Enforcement would fill the void, due to the recent loss of positions in the Zoning section.

Sign Committee members worked with staff on the new approach to the sign review process and supported these changes along with the reconstitution of their membership, provided it is a temporary change. The Sign Committee membership will be reduced from 5 to 4 members but consist of existing appointed members.

The revised Sign Committee would review the majority of signs at two Consent Calendar meetings, each presided over by two members, to coincide with the regular scheduled ABR and HLC meeting dates. The Conforming Review level would remain, but would be slightly expanded to allow for more projects to qualify and for two Sign Committee members to review sign applications weekly.

We initiated these sign application review changes in August of this year, and believe the process is working. However, when development activity increases, it will be necessary to reevaluate the process and likely return to the previous process.

Finally, updates to the Sign Review Guidelines are proposed for adoption at this time that reflect minor guideline changes, the new Sign Committee review process and further clarifies how the City reviews signs with registered trademarks and business logos.

#### Changes for Project Time Approvals and Extensions

In recent times, the ability for applicants and developers to secure construction financing and move from planning entitlements to being able to complete construction drawings, obtain building permits, and complete projects has become more difficult. City staff is concerned that many of the projects which have obtained planning entitlements including Design Review, Zoning Modifications, Coastal Development Permits, etc, may also be unable to move to completion of the next stage of development without having to reapply and go back through the Design Review or entitlement process. Time extensions for ABR, HLC and SFDB approvals have sometimes resulted in reconsideration of approvals whereby different review board members want to overturn previous approval decisions.

The current code does provide for time extensions, however, in many cases, there is confusion when applicants need to keep track of multiple approvals. Recognizing these concerns, the ordinance amendments set the project approval expiration to run with the longest discretionary approval decision. The changes will also give more time for applicants to obtain approvals through the earlier stages of the city's review process. Finally, these changes will increase efficiencies by not requiring approved projects to obtain design review time extensions or re-approvals if the land use decisions are still valid.

#### Change "Preliminary Approvals" to "Project Design Approvals" for Clarity Purposes

In response to some community confusion about the magnitude of key decisions during the design review approval process, staff proposes to change name of all ABR, HLC and SFDB "Preliminary Approvals" to "Project Design Approvals." Staff believes this change will lessen confusion from the public on decisions involving this critical entitlement step. Staff believes the confusion surrounding the word "preliminary" have led to the public's belief that the filing of appeals should come at a later date.

#### Zoning Information Report Changes

An additional change to reduce staff's workload includes a change to SBMC Section 28.87.220 to make Zoning Information Reports (ZIR) for condominiums optional. Currently, all sellers of residential property are required to obtain a Zoning Information Report (ZIR) and provide a copy of the report to buyers. Planning staff have indicated that it is rare that a zoning violation is created within a condominium development due to the existence of a Homeowner's Association and Covenants, Conditions & Restrictions on title that place strict prohibition on land use type violations. Planning staff has met with the Santa Barbara Association of Realtors and they support the changes.

In addition, staff also proposes to not require a ZIR when a house is either under construction or a Certificate of Occupancy inspection has been completed within the last three months. Planning staff has met with the Santa Barbara Association of Realtors and they support these changes.

#### Conclusion and Staff Recommendation

The City of Santa Barbara has long recognized that signs are an integral part of the cityscape and, as such, can detract from or enhance the City's image and character. While a reduction of the Sign Committee membership and new review process is being proposed, staff recognizes the importance of maintaining adequate oversight and the need that sign applications continue to be reviewed by a separate Sign Committee. In response to budgetary and staffing cutbacks, the City is also proposing reasonable ordinance amendments to increase efficiencies in response to the reduced staffing levels. For these reasons, staff recommends that Council approve the reconstitution of the Sign Committee and adopt the proposed ordinance amendments for introduction and adoption.

#### Other Amendments

This phase of ordinance amendments is a first step in making changes to reduce staffing expenditures and create savings with increased efficiencies. Staff expects to bring forward additional ordinance amendments to implement further cost saving measures by making improvements in the City's review process.

#### **BUDGET/FINANCIAL INFORMATION:**

This proposal will reduce the amount of annual staff time involved to support the Sign Committee, processing of time extensions, and in the preparation of some ZIRs. No significant expenditures are required but some initial staff work to implement these process changes will be necessary.

**PREPARED BY:** Jaime Limón, Senior Planner II

**SUBMITTED BY:** Paul Casey, Assistant City Administrator/ Community  
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**APPROVED BY:** City Administrator's Office